

THE TOWN OF FOREST HEIGHTS  
RESOLUTION 26-20

**A RESOLUTION APPROVING AND CONSENTING TO THE EMERGENCY  
PURCHASE OF TWO-WAY RADIOS WITH A TWO-YEAR SUBSCRIPTION FOR USE  
BY THE POLICE DEPARTMENT IN SUPPORT OF MUNICIPAL EMERGENCY  
OPERATIONS THROUGH THE DECLARED LOCAL EMERGENCY  
AND ITS AFTERMATH**

Introduced By: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, the Forest Heights Police Department requests the immediate purchase of five (5) Motorola WAVE™ TLK 100 radios that are two-way radios that operate on a nationwide cellular network by a push-to-talk (PTT) device with one 2-year contract for monthly subscription to dispatch; and

**WHEREAS**, the Wave™ TLK 100 two-way radio by Motorola features Wave PTT Web dispatch service allowing for web-based dispatching to log in from any PC or device, multimedia communication to share information via text, photo, video or file attachments and location and mapping allowing tracking of mobile teams on a map and dispatch based on real-time location or to replay historical routes; and

**WHEREAS**, pursuant to Section 20.4(a)(5)(II), (Emergency purchases), all emergency purchases and contracts made under said subsection less than \$10,000 in consideration are thereby preapproved by the Council, and the Mayor without prior specific consent or further approval of the Council, but with the written consent of at least two other Council members, may enter into contracts or make purchases not exceeding \$10,000 in value for emergency purposes in order to protect the residents from imminent threat of harm or injury, to protect the health, safety and welfare of the general public from imminent harm, or to prevent the imminent permanent, and substantial loss or damage to Town property; and

**WHEREAS**, pursuant to Section 20.4(a)(5)(III), when making emergency purchases under said subsection, the Mayor may exempt said purchase of a good or service from the competitive selection processes but shall provide a report at the next meeting of the Council as to the reasonableness under the circumstances of the sole-source procurement utilized by the Mayor and staff; and

**WHEREAS**, notwithstanding the emergency procurement provisions found in Section 20.4 of the Town Code, which can be invoked with or without a declared local emergency, upon the proclamation by the Mayor of a civil emergency and during the existence of such civil emergency, the Mayor shall have the power by order to enter into contracts and incur obligations necessary to combat such disaster, protect the health and safety of persons and property, and provide emergency assistance to the victims of such disaster, and such powers shall be exercised in the light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations and requirements of competitive bidding..., provided that the Mayor shall, wherever practicable, advise and consult with the Town Council with respect to disaster response activities, and any such order shall at the earliest practicable

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time be presented to the Town Council for review and appropriate legislation...; and

**WHEREAS**, pursuant to the executive order of a municipal emergency initially issued by the Mayor on April 5, 2020, and § 2.14 of the Town Code, during the existence of the present declared emergency, purchases of supplies, materials and equipment less than \$10,000 in consideration are authorized to be made in accordance with Section 20.4 of the Town Ordinance Code, without the consent of at least two other councilmembers that would typically be required during an undeclared emergency, provided that a log of all purchases made during any emergency is maintained, an account for all costs incurred in making such purchase is made, and upon termination of the emergency, the Treasurer shall report all emergency purchases and shall verify such orders, and submit a summary of said purchases to the Mayor and Council for review; and

**WHEREAS**, the Chief of Police has verified that Motorola Solutions, Inc. of 500 West Monroe Street, Chicago, Il 60661 (motorolasolutions.com) is registered and in good standing with the State of Maryland; and

**WHEREAS**, the Town Council finds that the above-described purchase is warranted, supports the COOP Plan, and the WAVE PTT Web dispatch Plan of \$32 per month (\$768 for 2-years), and the five (5) radios with 2-Year Contract (monthly payments) at \$175 per month (\$35 per radio each month), for a total purchase price of **\$4,968.00** will be allocated from line item 7073; and

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Town Council of the Town of Forest Heights hereby ratifies and approves the above-described purchase of radios from Motorola Solutions, Inc. and hereby consents to the Mayor or her designee in signing any necessary service contract or agreement on behalf of the Town; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage.

PASSED this 4<sup>th</sup> day of May 2020.

**ROLL CALL VOTE**

**YEA/NAY/ABSTAIN/ABSENT**

MUHAMMAD

Absent

KENNEDY II

Yea

NOBLE

Yea

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

ATKINSON

Absent

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ATTEST:

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

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SIGNATURE ON FILE

Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20 day of May 2020 with 5 Aye votes and 0 Nay vote the aforesaid Resolution 26-20 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibit - (Motorola Solutions, Inc. Service Contract)